

Settlement Reached in Berth 100 Lawsuit

After several months of negotiation, the Natural Resources Defense Council (NRDC), Communities for a Better Environment, the Coalition for Clean Air, San Pedro Peninsula Homeowners United, Inc, and San Pedro and Peninsula Homeowners' Coalition, the City of Los Angeles (City), the Port of Los Angeles (POLA), and the U.S. Army Corps of Engineers (Army Corps) have reached an agreement that settles the lawsuit filed in District Court. This settlement is in addition to the agreement reached by the city, POLA, NRDC, and community groups. With the overall settlement reached by the parties, the Port anticipates opening the terminal shortly and completing the Phase I wharf within the next few months.

Settlement of the federal lawsuit calls for:

- Plaintiffs to dismiss the lawsuit with prejudice
- The Army Corps will prepare a project specific Environmental Impact Statement (EIS) for Phases 1, 2, and 3 of the China Shipping Project described in the lease issued by the City of Los Angeles on May 8, 2001.
- The Army Corps permit issued April 19, 2002, the Original Environmental Assessment, and the Revised Environmental Assessment completed by the Army Corps will all remain in place.
- The Army Corps will reconsider its April 19, 2002 permit terms and conditions upon completion of the EIS.

Prior to settlement, the Corps and the Port had begun the China Shipping Phases II and III EIS. A scoping meeting was held, and a draft document was in preparation. Based on the settlement agreement, that document is no longer being pursued. The Army Corps anticipates new scoping meetings will take place sometime in the near future, possibly beginning in May or June 2003. As part of the scoping process, the Corps will host utilize workshops and provide equal access to Spanish speakers in order to elicit input from the public on the content of the new EIS.